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EXAMINER

GARCIA JR, RENE

ART UNIT PAPER NUMBER

2853

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/760,031

Applicant(s)

COURIAN ET AL.

Examiner

Rene Garcia, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 13-17, 26-30, 37-43, 78 and 79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 13-17, 26-30, 37-43, 78 and 79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Oath/Declaration

1. Applicant's submitted Declaration, 05 June 2006, has been received. The provided clearer scan of the original overcomes the objections presented in office action mailed 03 March 2006 and has been placed in the application file.

Claim Objections

2. Claim 17 is objected to because of the following informalities: line 4, after "...two or more of a scan speed..." consider placing a colon after "of" ("... two or more of: a scan speed...") for clarity otherwise "two or more" could be interpreted to be related to scan speed parameter value only. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobs (US 6,271,926).

Jacobs discloses the following claimed limitations:

*regarding claim 1, receiving user input associated with a printmode selection (fig. 7 & 8; col. 2, lines 27-37; col. 8, lines 21-41)

*mapping said printmode selection to a plurality of parameter values associated with the selected printmode (fig. 7; col. 8, lines 21-41 – brightness and contrast are parameter values)

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*displaying feedback separately (fig. 7; brightness and contrast each have their own display bar associated with – recitation of separately does not define what separately includes/excludes) for each of the parameter values associated with consequences of said printmode selection (fig. 7; col. 7, lines 50-61; col. 7, line 66- col. 8, line 13 – visual representation of selections lets user know what output parameters have been selected)

*regarding claim 3, act of receiving is performed using a soft user interface (col. 2, lines 27-37; col. 3, lines 12-13; fig. 7)

*regarding claim 4, act of receiving is performed by at least one printer (image forming device,4; printer,20 part of image forming device; fig. 1 & 2; col. 3, lines 26-31; col. 4, lines 1-3)

*regarding claim 5, act of receiving is performed by at least one host computer in operable communication with at least one printer (col. 7, lines 61-67; col. 8, lines 7-13)

5. Claims 14, 15, 16, 25-29, 37, 38, 40, 41 and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Moro et al. (US 6,327,051).

Moro et al. discloses the following claimed limitations:

*regarding claims 14, 27 and 38, receiving selection of a printmode that is not a pre-defined printmode for a particular printer (col. 2, lines 58-62)

*displaying feedback separately for each of a plurality of parameter values associated with the printmode selection (col. 2, line 66- col. 3, line 6; fig. 22 shows display for providing feedback [show what was selected]; “separately” as claimed is broad and leaves the display to be [with respect to fig. 22] each section/tab is separately displaying feedback and so is each tab

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page being broken down by a subsection: print quality separated by a line from paper feed method, which is separated by a line from dither setting; separated from cartridge selection by a line)

*regarding claims 15, 28 and 41, act of receiving comprises receiving input pertaining to print quality (fig. 22 – col. 6, lines 32-34) and said act of displaying comprises displaying feedback that includes an ink or toner density value and a throughput value

*regarding claims 16, 29 and 42, act of receiving comprises receiving input pertaining to throughput (fig. 22 – printing quality affects throughput i.e. more quality longer time shorter throughput) and said act of displaying comprises displaying feedback that includes a throughput value and an ink or toner density value

**Further notes with regards to claims 15, 16, 28, 29, 41 and 42, each recites that act of displaying displays feed back of ink/toner density value and throughput value, however never limits to when they are to be displayed or that they have to be displayed on the same page, or at the same time*

*regarding claims 26 and 37, saving a printmode selection as a user-defined print mode (fig. 2; col. 6, lines 52-63)

*regarding claim 40, printmode selection component comprises at least one soft control
(col. 6, lines 28-38)

*further regarding claims 27 and 40, one or more computer-readable media having
computer-readable instructions thereon which, when executed by one or more processors, cause
the one or more processors to execute a method (fig. 1, 10 & 17; col. 8, line 63- col. 9, line 17)

*further regarding claim 38, user interface component comprising:

*printmode selection component (col. 6, lines 28-30; fig. 1)

*user feedback component discrete from the printmode selection component (fig. 22;
printing quality section has a “resolution and printing mode” display section to right of selection
component to display more detail with regard to selection)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the
manner in which the invention was made.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs (US
6,271,926) in view of Takemura et al. (US 5,988,784).

Jacobs disclose all the claimed limitations except for the following:

*regarding claim 2, act of receiving is performed using a hard user interface

Takemura et al. discloses the following:

*regarding claim 2, act of receiving is performed using a hard user interface/**switches, 801, 802 & 803/** (fig. 14; col. 12, lines 49-51) for the purpose of controlling parameters for adjusting printing quality

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize act of receiving is performed using a hard user interface as taught by Takemura et al. into Jacobs for the purpose of controlling parameters for adjusting printing quality

8. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs (US 6,271,926) in view of Kato et al. (US 6,390,583).

Jacobs discloses the following claimed limitations:

*regarding claims 6 & 7, act of displaying comprises displaying feedback that includes a throughput value (fig. 7; image quality of “resolution” selection leads to throughput has to slow down to print higher resolution)

*regarding claim 7, act of receiving comprises receiving user input associated with throughput (fig. 7; image quality of “resolution” selection leads to throughput has to slow down to print higher resolution)

Jacobs does not disclose the following claimed limitations:

*regarding claims 6 and 7, act of receiving comprises receiving user input associated with ink density and said act of displaying comprises displaying feedback that includes an ink or toner density value

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**Futher notes regarding claims; each recite that act of displaying displays feed back of ink/toner density value and throughput value, however never limits to when they are to be displayed or that they have to be displayed on the same page, or at the same time*

Kato et al. discloses the following:

*regarding claims 6 and 7, act of receiving comprises receiving user input associated with ink density (col. 7, lines 26-44) and said act of displaying comprises displaying feedback that includes an ink or toner density value for the purpose of printing high quality images without lowering throughput

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize act of receiving comprises receiving user input associated with ink density and said act of displaying comprises displaying feedback that includes an ink or toner density value as taught by Kato et al. into Jacobs for the purpose of printing high quality images without lowering throughput

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs (US 6,271,926) in view of Winter et al. (US 6,040,927).

Jacobs disclose all the claimed limitations except for the following:

*regarding claim 8, at least one of the parameter values is associated with error hiding

Winter et al. discloses the following:

*regarding claim 8, at least one of the parameter values is associated with error hiding/**error diffusion**/ (fig. 6; col. 2, lines 36-46; col. 3, lines 38-49) for the purpose of producing high quality images

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It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize at least one of the parameter values is associated with error hiding as taught by Winter et al. into Jacobs for the purpose of producing high quality images.

10. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs (US 6,271,926) in view of Narendranath et al. (US 5,751,433).

Jacobs disclose all the claimed limitations except for the following:

*regarding claim 13, effecting printing using the selected printmode

Narendranath et al. discloses the following:

*regarding claim 13, effecting printing using the selected printmode (fig. 3 & 4; col. 8, lines 6-55) for the purpose of lowering toner usage and print time

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize effecting printing using the selected printmode as taught by Narendranath et al. into Jacobs for the purpose of lowering toner usage and print time

11. Claims 17, 30 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moro et al. (US 6,327,051) in view of Hirabayashi et al. (US 6,050,674).

Moro et al. discloses the following claimed limitations:

*regarding claims 17, 30 and 43, act of receiving comprises receiving input pertaining to print quality and/or throughput (fig. 22)

Moro et al. does not disclose the following claimed limitations:

*regarding claims 17, 30 and 43, act of displaying feedback that includes two or more of a scan speed parameter value, a print mask value, a nozzle firing frequency value, a drops per pixel value, or a scan direction value

Hirabayashi et al. discloses the following:

*regarding claim 17, 30 and 43, act of displaying feedback that includes two or more of a scan speed parameter value (quality of print affects speed – high quality slower print, high speed lower print quality), a print mask value (color option determines how nozzles are to be fired and which nozzles are fired), a nozzle firing frequency value, a drops per pixel value, or a scan direction value (fig. 9; value has not been recited to be a numerical therefore a label associated with properties leads to a value which possibly is linked to a numerical value transparent to the user)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize an act of displaying feedback that includes two or more of a scan speed parameter value, a print mask value, a nozzle firing frequency value, a drops per pixel value, or a scan direction value as taught by Hirabayashi et al. into Moro et al. for the purpose of allowing user to know what selection(s) has been made

12. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moro et al. (US 6,327,051) in view of Takemura et al. (US 5,988,784).

Moro et al. disclose all the claimed limitations except for the following:

*regarding claim 39, printmode selection component comprises at least one hard control

Takemura et al. discloses the following:

*regarding claim 39, printmode selection component comprises at least one hard control /switches, 801, 802 & 803/ (fig. 14; col. 12, lines 49-51) for the purpose of controlling parameters for adjusting printing quality

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize printmode selection component comprises at least one hard control as taught by Takemura et al. into Moro et al. for the purpose of controlling parameters for adjusting printing quality

13. Claims 78 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moro et al. (US 6,327,051) in view of Narendranath et al. (US 5,751,433) and Castelltort et al. (WO 02/019261 A1)

Moro et al. disclose the following claimed limitations:

- *regarding claim 78, user interface component comprising:

- *throughput control configured to enable the user to make a selection between print speed and quality

- *color/mono control configured to enable the user to select printheads that are used for printing (fig. 2 & 21; col. 18, lines 18-19; col. 24, lines 7-11)

- *feedback window discrete from the controls configured to provide a user with feedback on each of ink density/**dither**/, throughput/**printing quality**/, alternate printmode/**printing quality**/ and color/mono/**cartridge selection**/ associated with selections made by the user (fig. 22; col. 6, lines 28-38; with regards to discrete - printing quality section has a “resolution and printing mode” display section to right of selection component to display more detail with regard to selection)

- *regarding claim 79, feedback includes a printmode name indicating ink density/**dither**/, throughput/**printing quality**/, alternate printmode/**printing quality**/ and color/mono/**cartridge selection**/ settings (fig. 22)

Moro et al. does not disclose the following claimed limitations:

- *regarding claim 78, ink density control configured to allow a user to select an amount of ink that is to be placed on a print media

- *alternate printmode control configured to enable the user to select between multiple print masks for a given printmode

Narendranath et al. discloses the following claimed limitations:

- *regarding claim 78, user interface component comprising:

- *ink density control configured to allow a user to select an amount of ink that is to be placed on a print media (fig. 3 & 4; col. 8, lines 6-55) for the purpose of lowering toner usage and print time

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize ink density control configured to allow a user to select an amount of ink that is to be placed on a print media as taught by Narendranath et al. into Moro et al. for the purposes of lowering toner usage and print time; easily identifying print modes

Castelltort et al. discloses the following:

- *regarding claim 78, alternate printmode control configured to enable a user to select between multiple print masks/**color maps**/ for a given printmode (page 2, lines 16-20; page 4, lines 22-24; page 25, lines 26-32;fig. 6) for the purpose of achieving maximum output quality on a particular medium

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize alternate printmode control configured to enable the user to select between multiple print masks for a given printmode as taught by Castelltort et al. (WO

02/019261 A1) into Moro et al. for the purpose of achieving maximum output quality on a particular medium

Response to Arguments

14. Applicant's arguments filed 05 June 2006 have been fully considered but they are not persuasive. Regarding page 10, second paragraph from the last, Jacobs (US 6,271,926) teaches displaying visual feedback regarding brightness and contrast to the right of the selection controls (fig. 7). However Jacobs also teaches the selection controls as providing feedback, their placement with regards to the selection control/bar/ also displays what has been selected. The last paragraph of page 10 argues that Moro et al. (US 6,327,051) makes changes that are transparent to the user, while this is true Moro et al. also teaches that there is visual feedback for parameters. Figures 13 and 22 have a plurality of parameters than can be controlled and each one has a specific parameters that is highlighted when chosen giving feedback to the selection. Regarding second full paragraph of page 11, applicant has amended to claims further relating to displaying of feedback. However the claims as recited only recite that throughput value and ink/toner density value are to be displayed. The claims never limit to when they are to be displayed or that they have to be displayed on the same page, or at the same time, therefore can be displayed on completely separate display [sections/screens].

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Communications with the USPTO

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Rene Garcia Jr
08/17


STEPHEN MEIER
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